


THE VERIZON EMPLOYEE BENEFITS	§	
COMMITTEE,	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. 3: 06-CV-1539-B
	§	
CHRISTINE BOYER f/k/a	§	
CHRISTINE ANDERSON,	§	
	§	
Defendant.	§	

Before the Court is Plaintiff Verizon Employee Benefits Committee’s Motion to Dismiss Godwin Pappas Langley Ronquillo, LLP (“Godwin Pappas”) as a Party (doc. 33). Defendant has not filed a response. For the following reasons, the Court grants the motion without prejudice.

On March 16, 2007, Defendant filed an Answer and Third Amended Complaint raising, in pertinent part, a counterclaim under the Fair Debt Collection Practices Act (“FDCPA”) against Godwin Pappas as an additional party under Rule 13(h). On July 23, 2007, this Court granted Plaintiff’s Motion to Dismiss Defendant’s Counterclaim. Federal Rule of Civil Procedure 4(m) requires that service be effected within 120 days after the filing of a complaint. To date, Defendant has not filed evidence of service of process on Godwin Pappas. Moreover, with no FDCPA counterclaim, Defendant has no claim left against Godwin Pappas. Accordingly, Plaintiff’s motion is hereby **GRANTED**.

SO ORDERED.

SIGNED September 28, 2007



JANE J. BOYLE
UNITED STATES DISTRICT JUDGE